



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**TOM HAMMOND, et al.,**

**Plaintiffs,**

**- against -**

**THE BANK OF NEW YORK MELLON  
CORPORATION, et al.,**

**Defendants.**

**MEMORANDUM  
OPINION AND ORDER**

**08 Civ. 6060 (RMB) (RLE)**

**RONALD L. ELLIS, United States Magistrate Judge:**

Following a telephonic conference with the Court on June 19, 2009, and having considered the written submissions of the Parties,

**IT IS HEREBY ORDERED** that Plaintiffs' request for further information regarding internal and external investigations related to the incident at issue in this case is **DENIED**, **without prejudice**. Defendants have asserted that this information is covered by the work product doctrine. Plaintiffs argue that despite the protections, they should be provided with certain of these documents because they meet the "substantial need" and "undue hardship" tests. The Court finds that Plaintiffs have failed to show that they have not been provided with the factual information underlying any investigation by Defendants. Moreover, the Court concludes that Plaintiffs have had a fair opportunity to conduct their own investigation.

**SO ORDERED this 22nd day of June 2009  
New York, New York**

**The Honorable Ronald L. Ellis  
United States Magistrate Judge**